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NOTICE OF ALLOWANCE AND FEE(S) DUE

373 759 07/15/2004

DAV'D LOREN, ESQ.  
SIDDY, AUSTIN, BROWN & WOOD, LLP  
787 SEVENTH AVENUE  
NEW YORK, NY 10019-6018

EXAMINER

BARRERA, RAMON M

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 07/15/2004

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/652,157      | 07/31/2000  | Erwin Manschitz      | DT-3563             | 4131             |

TITLE: CUTTING AND SWINGING DEVICE FOR MULTIFUNCTIONAL HAND-HELD MACHINE TOOL

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1330    | \$0             | \$1330           | 10/15/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status.

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned to the USPTO charging the fee(s) to your deposit account. section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop 1440. FEE titles advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form shall be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence, including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated. If a change of address is to be directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for mailing of fee(s).

(Date of change of address)

(Block 1 for any change of address)

10/15/2004

**DAVID FORBES, LSQ.**  
**STELLA, AUSTIN, BROWN & WOOD, LLP**  
**87 SEVENTH AVENUE**  
**NEW YORK, NY 10019-6018**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

| INVENTOR        | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|---------------------|------------------|
| Erwin Manschitz | DT-3563             | 4131             |

TITLE: **OPTICAL SWEEPING DEVICE FOR MULTIFUNCTIONAL HAND-HELD MACHINE TOOL**

| NAME OF APPLICANT | NAME ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|-------------------|-------------|-----------|-----------------|------------------|------------|
| ERWIN MANSCHITZ   |             | \$1330    | \$0             | \$1330           | 10/15/2004 |

| NAME OF APPLICANT | ART UNIT | CLASS-SUBCLASS |
|-------------------|----------|----------------|
| ERWIN MANSCHITZ   | 2832     | 173-047000     |

|  |   |
|--|---|
| 1. Change of Correspondence Address or "Fee Address" (37 CFR 1.37)                   | 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. |
| 3. ASSESSMENT OF ANNUAL MAINTENANCE DATA TO BE PRINTED ON THE PATENT (print or type) | 1 _____<br>2 _____<br>3 _____   |

Please note: If the assignee or licensee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation under 37 CFR 1.14. Submission of this form is NOT a substitute for filing an assignment.

(A) APPLICANT'S NAME

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check one box indicating entity category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a.  Registered Patent Attorney or Agent \_\_\_\_\_

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. CERTIFICATE OF ENTITY STATUS IDENTIFIED ABOVE

I am a SMALL ENTITY. See 37 CFR 1.27.  b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The USPTO is required to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NO FEES OR PAYMENTS (OTHER THAN THE FEE(S) REQUIRED) WILL NOT BE ACCEPTED FROM ANYONE OTHER THAN THE APPLICANT, A REGISTERED ATTORNEY OR AGENT, OR THE ASSIGNEE OR OTHER PARTY IN INTEREST. THIS FORM IS FOR USE WITH THE U.S. PATENT AND TRADEMARK OFFICE ONLY. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

(Date)

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application for a patent or utility model or by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and maintaining the data. This collection is conducted by the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. UNDERTAKING: I, the undersigned, do not work for, or act on behalf of, any of 19, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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| 10/15/00           | 08/15/00    | Erwin Manschitz      | DT-3563             | 4131             |
|                    |             |                      | EXAMINER            |                  |
|                    |             |                      | BARRERA, RAMON M    |                  |
|                    |             |                      | ART UNIT            | PAPER NUMBER     |
|                    |             |                      | 2832                |                  |

DATE MAILED: 07/15/2004

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 547 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 547 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicants will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system ([pair.uspto.gov](http://pair.uspto.gov)).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Term Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.